**RECEIVED****MAY 14 2001**

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/823,271	03/30/2001	Michael A. Faltys	AB-131U

CONFIRMATION NO. 7283

FORMALITIES LETTER



\*OC00000006059168\*

000023845

ADVANCED BIONICS CORPORATION  
12740 SAN FERNANDO ROAD  
SYLMAR, CA 91342

Date Mailed: 05/09/2001

06/05/2001 SMINASS1 00000107 09823271 **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

01 FC:201 355.00 CH  
02 FC:203 108.00 CH  
03 FC:202 40.00 CH  
04 FC:205 65.00 CH

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$148.
  - \$108 for 12 total claims over 20.
  - \$40 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 568.

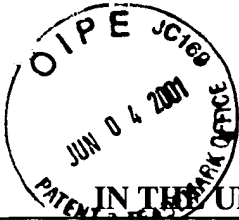
*A copy of this notice **MUST** be returned with the reply.*

*MTB*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/05/2001 SMINASS1 00000107 09823271  
01 FC:201 355.00 CH  
02 FC:203 108.00 CH  
03 FC:202 40.00 CH  
04 FC:205 65.00 CH



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mann, et al.

Application No.: 09/823,271

Filed: 03/31/2001

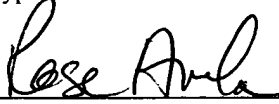
Title: High Contact Count Sub-miniature Fully Implantable Cochlear Prosthesis

Attorney Docket No.: AB-131U

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: June 1, 2001

Typed Name: Rose Avila

  
Rose Avila

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Executed Declaration and Power of Attorney for inventors Michael A. Faltys, Glen A. Griffith and William Vanbrooks Harrison. The above-identified application is the same application which the inventors executed by signing the enclosed declaration.
- (X) Missing Parts Surcharge \$65.00
- (X) Filing Fee of \$503.00 comprised of \$355.00 basic filing fee, \$108.00 extra claim fee and \$40.00 extra independent claim fee.
- (X) Applicant claims small entity status. See 37 CFR 1.27.

Please charge \$ 65.00 as The Missing Parts Surcharge and \$503.00 as total Filing Fee to Deposit Account No. 50-0648 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required under 37 CFR §§ 1.16 or 1.17 or credit any overpayment to this Deposit Account. A duplicate copy of this sheet is enclosed for fee processing against this Deposit Account.

Correspondence Address: Advanced Bionics Corporation  
12740 San Fernando Rd.  
Sylmar, CA 91342

Respectfully submitted,

By:   
Bryant R. Gold, Reg. No: 29715



Date: June 1, 2001  
Telephone No.: 760-788-8138

**FILE COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 7283

<b>SERIAL NUMBER</b> 09/823,271	<b>FILING DATE</b> 03/30/2001 <b>RULE</b>	<b>CLASS</b> 623	<b>GROUP ART UNIT</b> 3738	<b>ATTORNEY DOCKET NO.</b> AB-131U
------------------------------------	---	---------------------	-------------------------------	---

**APPLICANTS**

Michael A. Faltys, Northridge, CA;  
Glen A. Griffith, Newbury Park, CA;  
William Vanbrooks Harrison, Valencia, CA;

*verified copy***\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLN CLAIMS BENEFIT OF 60/193,647 03/31/2000  
AND CLAIMS BENEFIT OF 60/203,707 05/11/2000

*verified copy***\*\* FOREIGN APPLICATIONS \*\*\*\*\****None copy*

IF REQUIRED, FOREIGN FILING LICENSE GRANTED \*\* SMALL ENTITY \*\*  
\*\* 05/09/2001

Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<b>STATE OR COUNTRY</b> CA	<b>SHEETS DRAWING</b> 6	<b>TOTAL CLAIMS</b> 32	<b>INDEPENDENT CLAIMS</b> 4
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged <i>(Signature)</i> Examiner's Signature	<i>(Initials)</i> Initials			

**ADDRESS**

000023845

**TITLE**

High contact count, sub-miniature, fully implantable cochlear prosthesis

<b>FILING FEE RECEIVED</b> 568	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees ( Filing )
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )
		<input type="checkbox"/> 1.18 Fees ( Issue )
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit



Receipt

May 31, 2001

Office of Initial Patent Examination's  
Customer Service Center  
Assistant Secretary and Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

RECEIVED  
AUG 23 2001  
TECHNOLOGY CENTER 3100

Re: U.S. Patent Application of Faltys, et al., "High Contact Count Sub-miniature, Fully Implantable Cochlear Prosthesis";  
Filed 03/31/2001; Serial No. 09/823,271; Our Docket AB-131U

Dear Sir/Madam:

This letter will confirm that we have received the Official Filing Receipt for the above-identified patent application, Serial No.09/823,271, Attorney Docket Number AB-131U and note an error/omission in the Title. Please change the word "Implantable" to "Implantable" so that the complete title reads: "High Contact Count Sub-miniature, Fully Implantable Cochlear Prosthesis".

A copy of the Filing Receipt with the change noted is enclosed. Please provide this office with a Corrected Filing Receipt at your earliest convenience.

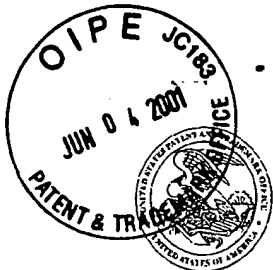
Respectfully Submitted,

Bryant R. Gold  
Reg. No. 29715  
Vice President/Chief Intellectual Property Counsel

BRG/ra

Encl.

•Copy of Filing Receipt for Serial No.09/823,271 As Corrected

**RECEIVED****MAY 14 2001****UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/823,271	03/30/2001	3738	0.00	AB-131U	6	32	

000023845

ADVANCED BIONICS CORPORATION  
12740 SAN FERNANDO ROAD  
SYLMAR, CA 91342

**CONFIRMATION NO. 7283****FILING RECEIPT**

\*OC00000006059167\*

Date Mailed: 05/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Michael A. Faltys, Northridge, CA;  
Glen A. Griffith, Newbury Park, CA;  
William Vanbrooks Harrison, Valencia, CA;

**Domestic Priority data as claimed by applicant**

THIS APPLN CLAIMS BENEFIT OF 60/193,647 03/31/2000  
AND CLAIMS BENEFIT OF 60/203,707 05/11/2000

**Foreign Applications**

If Required, Foreign Filing License Granted 05/09/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**High contact count, sub-miniature, fully implantable cochlear prosthesis*implantable*